

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
Heather N Lightle : Case No.: **19-16788**
Thomas J Lightle : Chapter 13
Debtor(s) : Judge Eric L. Frank
Debtor(s) : *

OBJECTION OF WELLS FARGO BANK, N.A. TO MOTION TO MODIFY PLAN
(DOCKET NUMBER 45)

Wells Fargo Bank, N.A. ("Creditor") by and through its undersigned counsel, objects to the confirmation of the currently proposed motion to Modified Plan ("Plan") filed by Heather N Lightle and Thomas J Lightle (collectively, "Debtor") as follows:

1. Creditor holds a security interest secured by a mortgage lien on Debtor's property commonly known as 1314 7th Ave., Swarthmore, PA 19081 ("Property").
2. Creditor has filed Proof of Claim number 3 in the amount of \$103,242.73. This amount includes a pre-petition arrearage in the amount of \$907.86.
3. Debtor's loan underlying Claim 3 is currently under a forbearance that extends to June 1, 2021.
4. The Plan fails to propose how the loan will be brought current once the forbearance period has expired. Failure to provide for the cure or treatment of these payments may result in an immediate default in payments to Creditor on the expiration of the forbearance period.
5. Debtor's Plan therefore represents an impermissible modification of Creditor's claim and a violation of 11 U.S.C. §§1322 and 1325.

WHEREFORE, Creditor respectfully requests that the Court deny the Debtor's currently proposed Motion to Modify Plan.

Respectfully submitted,

/s/ Sarah E. Barngrover

Sarah E. Barngrover, Esquire (323972)

Adam B. Hall (323867)

Manley Deas Kochalski LLC

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Attorneys for Creditor

The case attorney for this file is Sarah E. Barngrover.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection of Wells Fargo Bank, N.A. to the Motion to Modify Plan was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

William C. Miller, Esq., Chapter 13 Trustee, P.O. Box 1229, Philadelphia, PA 19105,
ecfemails@ph13trustee.com

Brad J. Sadek, Attorney for Heather N Lightle and Thomas J Lightle, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on May 17, 2021:

Heather N Lightle and Thomas J Lightle, 1314 7th Avenue, Swarthmore, PA 19081

DATE: May 17, 2021

/s/ Sarah E. Barngrover
Sarah E. Barngrover, Esquire (323972)
Adam B. Hall (323867)
Manley Deas Kochalski LLC
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